

1-1 By: Deuell S.B. No. 1828  
 1-2 (In the Senate - Filed March 13, 2013; March 20, 2013, read  
 1-3 first time and referred to Committee on Intergovernmental  
 1-4 Relations; April 15, 2013, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;  
 1-6 April 15, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 1828 By: Nichols

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to the creation of Mesquite Medical Center Management  
 1-18 District; providing authority to issue bonds; providing authority  
 1-19 to impose assessments, fees, or taxes.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Subtitle C, Title 4, Special District Local Laws  
 1-22 Code, is amended by adding Chapter 3922 to read as follows:

1-23 CHAPTER 3922. MESQUITE MEDICAL CENTER MANAGEMENT DISTRICT

1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 3922.001. DEFINITIONS. In this chapter:

1-26 (1) "Board" means the district's board of directors.

1-27 (2) "City" means the City of Mesquite.

1-28 (3) "County" means Dallas County.

1-29 (4) "Director" means a board member.

1-30 (5) "District" means the Mesquite Medical Center  
 1-31 Management District.

1-32 Sec. 3922.002. NATURE OF DISTRICT. The Mesquite Medical  
 1-33 Center Management District is a special district created under  
 1-34 Section 59, Article XVI, Texas Constitution.

1-35 Sec. 3922.003. PURPOSE; DECLARATION OF INTENT. (a) The  
 1-36 creation of the district is essential to accomplish the purposes of  
 1-37 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
 1-38 Texas Constitution, and other public purposes stated in this  
 1-39 chapter. By creating the district and in authorizing the city, the  
 1-40 county, and other political subdivisions to contract with the  
 1-41 district, the legislature has established a program to accomplish  
 1-42 the public purposes set out in Section 52-a, Article III, Texas  
 1-43 Constitution.

1-44 (b) The creation of the district is necessary to promote,  
 1-45 develop, encourage, and maintain employment, commerce,  
 1-46 transportation, housing, tourism, recreation, the arts,  
 1-47 entertainment, economic development, safety, and the public  
 1-48 welfare in the district.

1-49 (c) This chapter and the creation of the district may not be  
 1-50 interpreted to relieve the city or the county from providing the  
 1-51 level of services provided as of the effective date of the Act  
 1-52 enacting this chapter to the area in the district. The district is  
 1-53 created to supplement and not to supplant city or county services  
 1-54 provided in the district.

1-55 Sec. 3922.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-56 (a) The district is created to serve a public use and benefit.

1-57 (b) All land and other property included in the district  
 1-58 will benefit from the improvements and services to be provided by  
 1-59 the district under powers conferred by Sections 52 and 52-a,  
 1-60 Article III, and Section 59, Article XVI, Texas Constitution, and

2-1 other powers granted under this chapter.

2-2 (c) The creation of the district is in the public interest  
2-3 and is essential to further the public purposes of:

2-4 (1) developing and diversifying the economy of the  
2-5 state;

2-6 (2) eliminating unemployment and underemployment; and

2-7 (3) developing or expanding transportation and  
2-8 commerce.

2-9 (d) The district will:

2-10 (1) promote the health, safety, and general welfare of  
2-11 residents, employers, potential employees, employees, visitors,  
2-12 and consumers in the district, and of the public;

2-13 (2) provide needed funding for the district to  
2-14 preserve, maintain, and enhance the economic health and vitality of  
2-15 the district territory as a community and business center;

2-16 (3) promote the health, safety, welfare, and enjoyment  
2-17 of the public by providing pedestrian ways and by landscaping and  
2-18 developing certain areas in the district, which are necessary for  
2-19 the restoration, preservation, and enhancement of scenic beauty;  
2-20 and

2-21 (4) provide for water, wastewater, drainage, road, and  
2-22 recreational facilities for the district.

2-23 (e) Pedestrian ways along or across a street, whether at  
2-24 grade or above or below the surface, and street lighting, street  
2-25 landscaping, parking, and street art objects are parts of and  
2-26 necessary components of a street and are considered to be a street  
2-27 or road improvement.

2-28 (f) The district will not act as the agent or  
2-29 instrumentality of any private interest even though the district  
2-30 will benefit many private interests as well as the public.

2-31 Sec. 3922.005. INITIAL DISTRICT TERRITORY. (a) The  
2-32 district is initially composed of the territory described by  
2-33 Section 2 of the Act enacting this chapter.

2-34 (b) The boundaries and field notes contained in Section 2 of  
2-35 the Act enacting this chapter form a closure. A mistake in the  
2-36 field notes or in copying the field notes in the legislative process  
2-37 does not affect the district's:

2-38 (1) organization, existence, or validity;

2-39 (2) right to issue any type of bonds for the purposes  
2-40 for which the district is created or to pay the principal of and  
2-41 interest on the bonds;

2-42 (3) right to impose or collect an assessment or tax; or

2-43 (4) legality or operation.

2-44 Sec. 3922.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.  
2-45 All or any part of the area of the district is eligible to be  
2-46 included in:

2-47 (1) a tax increment reinvestment zone created under  
2-48 Chapter 311, Tax Code;

2-49 (2) a tax abatement reinvestment zone created under  
2-50 Chapter 312, Tax Code;

2-51 (3) an enterprise zone created under Chapter 2303,  
2-52 Government Code; or

2-53 (4) an industrial district created under Chapter 42,  
2-54 Local Government Code.

2-55 Sec. 3922.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
2-56 DISTRICTS LAW. Except as otherwise provided by this chapter,  
2-57 Chapter 375, Local Government Code, applies to the district.

2-58 Sec. 3922.008. CONSTRUCTION OF CHAPTER. This chapter shall  
2-59 be liberally construed in conformity with the findings and purposes  
2-60 stated in this chapter.

2-61 SUBCHAPTER B. BOARD OF DIRECTORS

2-62 Sec. 3922.051. GOVERNING BODY; TERMS. (a) The district is  
2-63 governed by a board of five voting directors who serve staggered  
2-64 terms of four years, with two or three directors' terms expiring  
2-65 June 1 of each odd-numbered year.

2-66 (b) The board by resolution may change the number of voting  
2-67 directors on the board if the board determines that the change is in  
2-68 the best interest of the district. The board may not consist of  
2-69 fewer than 5 or more than 11 voting directors.

3-1 Sec. 3922.052. APPOINTMENT OF VOTING DIRECTORS. (a) The  
3-2 mayor and members of the governing body of the city shall appoint  
3-3 voting directors from persons recommended by the board.

3-4 (b) A person is appointed if a majority of the members of the  
3-5 governing body and the mayor vote to appoint that person.

3-6 Sec. 3922.053. NONVOTING DIRECTORS. The board may appoint  
3-7 nonvoting directors to serve at the pleasure of the voting  
3-8 directors.

3-9 Sec. 3922.054. QUORUM. For purposes of determining the  
3-10 requirements for a quorum of the board, the following are not  
3-11 counted:

3-12 (1) a board position vacant for any reason, including  
3-13 death, resignation, or disqualification;

3-14 (2) a director who is abstaining from participation in  
3-15 a vote because of a conflict of interest; or

3-16 (3) a nonvoting director.

3-17 Sec. 3922.055. COMPENSATION. A director is entitled to  
3-18 receive fees of office and reimbursement for actual expenses as  
3-19 provided by Section 49.060, Water Code. Sections 375.069 and  
3-20 375.070, Local Government Code, do not apply to the board.

3-21 Sec. 3922.056. INITIAL VOTING DIRECTORS. (a) The mayor  
3-22 and members of the governing body of the city shall appoint initial  
3-23 voting directors by position in accordance with Section  
3-24 3922.052(b).

3-25 (b) Of the initial directors, the terms of directors  
3-26 appointed for positions one through three expire June 1, 2015, and  
3-27 the terms of directors appointed for positions four and five expire  
3-28 June 1, 2017.

3-29 (c) Section 3922.052(a) does not apply to this section.

3-30 (d) This section expires September 1, 2017.

3-31 SUBCHAPTER C. POWERS AND DUTIES

3-32 Sec. 3922.101. GENERAL POWERS AND DUTIES. The district has  
3-33 the powers and duties necessary to accomplish the purposes for  
3-34 which the district is created.

3-35 Sec. 3922.102. IMPROVEMENT PROJECTS AND SERVICES. The  
3-36 district may provide, design, construct, acquire, improve,  
3-37 relocate, operate, maintain, or finance an improvement project or  
3-38 service using any money available to the district, or contract with  
3-39 a governmental or private entity to provide, design, construct,  
3-40 acquire, improve, relocate, operate, maintain, or finance an  
3-41 improvement project or service authorized under this chapter or  
3-42 Chapter 375, Local Government Code.

3-43 Sec. 3922.103. DEVELOPMENT CORPORATION POWERS. The  
3-44 district, using money available to the district, may exercise the  
3-45 powers given to a development corporation under Chapter 505, Local  
3-46 Government Code, including the power to own, operate, acquire,  
3-47 construct, lease, improve, or maintain a project under that  
3-48 chapter.

3-49 Sec. 3922.104. NONPROFIT CORPORATION. (a) The board by  
3-50 resolution may authorize the creation of a nonprofit corporation to  
3-51 assist and act for the district in implementing a project or  
3-52 providing a service authorized by this chapter.

3-53 (b) The nonprofit corporation:

3-54 (1) has each power of and is considered to be a local  
3-55 government corporation created under Subchapter D, Chapter 431,  
3-56 Transportation Code; and

3-57 (2) may implement any project and provide any service  
3-58 authorized by this chapter.

3-59 (c) The board shall appoint the board of directors of the  
3-60 nonprofit corporation. The board of directors of the nonprofit  
3-61 corporation shall serve in the same manner as the board of directors  
3-62 of a local government corporation created under Subchapter D,  
3-63 Chapter 431, Transportation Code, except that a board member is not  
3-64 required to reside in the district.

3-65 Sec. 3922.105. AGREEMENTS; GRANTS. (a) As provided by  
3-66 Chapter 375, Local Government Code, the district may make an  
3-67 agreement with or accept a gift, grant, or loan from any person.

3-68 (b) The implementation of a project is a governmental  
3-69 function or service for the purposes of Chapter 791, Government

4-1 Code.  
4-2 Sec. 3922.106. LAW ENFORCEMENT SERVICES. To protect the  
4-3 public interest, the district may contract with a qualified party,  
4-4 including the county or the city, to provide law enforcement  
4-5 services in the district for a fee.  
4-6 Sec. 3922.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
4-7 district may join and pay dues to a charitable or nonprofit  
4-8 organization that performs a service or provides an activity  
4-9 consistent with the furtherance of a district purpose.  
4-10 Sec. 3922.108. ECONOMIC DEVELOPMENT. (a) The district may  
4-11 engage in activities that accomplish the economic development  
4-12 purposes of the district.  
4-13 (b) The district may establish and provide for the  
4-14 administration of one or more programs to promote state or local  
4-15 economic development and to stimulate business and commercial  
4-16 activity in the district, including programs to:  
4-17 (1) make loans and grants of public money; and  
4-18 (2) provide district personnel and services.  
4-19 (c) The district may create economic development programs  
4-20 and exercise the economic development powers provided to  
4-21 municipalities by:  
4-22 (1) Chapter 380, Local Government Code; and  
4-23 (2) Subchapter A, Chapter 1509, Government Code.  
4-24 Sec. 3922.109. PARKING FACILITIES. (a) The district may  
4-25 acquire, lease as lessor or lessee, construct, develop, own,  
4-26 operate, and maintain parking facilities or a system of parking  
4-27 facilities, including lots, garages, parking terminals, or other  
4-28 structures or accommodations for parking motor vehicles off the  
4-29 streets and related appurtenances.  
4-30 (b) The district's parking facilities serve the public  
4-31 purposes of the district and are owned, used, and held for a public  
4-32 purpose even if leased or operated by a private entity for a term of  
4-33 years.  
4-34 (c) The district's parking facilities are parts of and  
4-35 necessary components of a street and are considered to be a street  
4-36 or road improvement.  
4-37 (d) The development and operation of the district's parking  
4-38 facilities may be considered an economic development program.  
4-39 Sec. 3922.110. ANNEXATION OF LAND. The district may annex  
4-40 land as provided by Subchapter J, Chapter 49, Water Code.  
4-41 Sec. 3922.111. NO EMINENT DOMAIN POWER. The district may  
4-42 not exercise the power of eminent domain.  
4-43 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS  
4-44 Sec. 3922.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
4-45 board by resolution shall establish the number of directors'  
4-46 signatures and the procedure required for a disbursement or  
4-47 transfer of district money.  
4-48 Sec. 3922.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.  
4-49 The district may acquire, construct, finance, operate, or maintain  
4-50 any improvement or service authorized under this chapter or Chapter  
4-51 375, Local Government Code, using any money available to the  
4-52 district.  
4-53 Sec. 3922.153. PETITION REQUIRED FOR FINANCING SERVICES AND  
4-54 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
4-55 service or improvement project with assessments under this chapter  
4-56 unless a written petition requesting that service or improvement  
4-57 has been filed with the board.  
4-58 (b) A petition filed under Subsection (a) must be signed by  
4-59 the owners of a majority of the assessed value of real property in  
4-60 the district subject to assessment according to the most recent  
4-61 certified tax appraisal roll for the county.  
4-62 Sec. 3922.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.  
4-63 (a) The board by resolution may impose and collect an assessment  
4-64 for any purpose authorized by this chapter in all or any part of the  
4-65 district.  
4-66 (b) An assessment, a reassessment, or an assessment  
4-67 resulting from an addition to or correction of the assessment roll  
4-68 by the district, penalties and interest on an assessment or  
4-69 reassessment, an expense of collection, and reasonable attorney's

5-1 fees incurred by the district:

5-2 (1) are a first and prior lien against the property  
5-3 assessed;

5-4 (2) are superior to any other lien or claim other than  
5-5 a lien or claim for county, school district, or municipal ad valorem  
5-6 taxes; and

5-7 (3) are the personal liability of and a charge against  
5-8 the owners of the property even if the owners are not named in the  
5-9 assessment proceedings.

5-10 (c) The lien is effective from the date of the board's  
5-11 resolution imposing the assessment until the date the assessment is  
5-12 paid. The board may enforce the lien in the same manner that the  
5-13 board may enforce an ad valorem tax lien against real property.

5-14 (d) The board may make a correction to or deletion from the  
5-15 assessment roll that does not increase the amount of assessment of  
5-16 any parcel of land without providing notice and holding a hearing in  
5-17 the manner required for additional assessments.

5-18 Sec. 3922.155. EXEMPTIONS. Section 375.162, Local  
5-19 Government Code, does not apply to an organization exempt from  
5-20 federal income tax under Section 501(a), Internal Revenue Code of  
5-21 1986, by being described by Section 501(c)(3) of that code,  
5-22 operating in the district. The organization is not exempt from  
5-23 paying a district assessment.

5-24 Sec. 3922.156. RESIDENTIAL PROPERTY NOT EXEMPT. Section  
5-25 375.161, Local Government Code, does not apply to a tax authorized  
5-26 or approved by the voters of the district or a required payment for  
5-27 a service provided by the district, including water and sewer  
5-28 services.

5-29 Sec. 3922.157. TAX AND ASSESSMENT ABATEMENTS. The district  
5-30 may designate reinvestment zones and may grant abatements of  
5-31 district taxes or assessments on property in the zones.

5-32 SUBCHAPTER E. TAXES AND BONDS

5-33 Sec. 3922.201. ELECTIONS REGARDING TAXES AND BONDS.

5-34 (a) The district may issue, without an election, bonds, notes, and  
5-35 other obligations secured by:

5-36 (1) revenue other than ad valorem taxes; or

5-37 (2) contract payments described by Section 3922.203.

5-38 (b) The district must hold an election in the manner  
5-39 provided by Subchapter L, Chapter 375, Local Government Code, to  
5-40 obtain voter approval before the district may impose an ad valorem  
5-41 tax or issue bonds payable from ad valorem taxes.

5-42 (c) Section 375.243, Local Government Code, does not apply  
5-43 to the district.

5-44 (d) All or any part of any facilities or improvements that  
5-45 may be acquired by a district by the issuance of its bonds may be  
5-46 submitted as a single proposition or as several propositions to be  
5-47 voted on at the election.

5-48 Sec. 3922.202. OPERATION AND MAINTENANCE TAX. (a) If  
5-49 authorized by a majority of the district voters voting at an  
5-50 election held in accordance with Section 3922.201, the district may  
5-51 impose an operation and maintenance tax on taxable property in the  
5-52 district in accordance with Section 49.107, Water Code, for any  
5-53 district purpose, including to:

5-54 (1) maintain and operate the district;

5-55 (2) construct or acquire improvements; or

5-56 (3) provide a service.

5-57 (b) The board shall determine the tax rate. The rate may not  
5-58 exceed the rate approved at the election.

5-59 Sec. 3922.203. CONTRACT TAXES. (a) In accordance with  
5-60 Section 49.108, Water Code, the district may impose a tax other than  
5-61 an operation and maintenance tax and use the revenue derived from  
5-62 the tax to make payments under a contract after the provisions of  
5-63 the contract have been approved by a majority of the district voters  
5-64 voting at an election held for that purpose.

5-65 (b) A contract approved by the district voters may contain a  
5-66 provision stating that the contract may be modified or amended by  
5-67 the board without further voter approval.

5-68 Sec. 3922.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS  
5-69 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms

6-1 determined by the board. Section 375.205, Local Government Code,  
6-2 does not apply to a loan, line of credit, or other borrowing from a  
6-3 bank or financial institution secured by revenue other than ad  
6-4 valorem taxes.

6-5 (b) The district may issue bonds, notes, or other  
6-6 obligations payable wholly or partly from ad valorem taxes,  
6-7 assessments, impact fees, revenue, contract payments, grants, or  
6-8 other district money, or any combination of those sources of money,  
6-9 to pay for any authorized district purpose.

6-10 Sec. 3922.205. TAXES FOR BONDS. At the time the district  
6-11 issues bonds payable wholly or partly from ad valorem taxes, the  
6-12 board shall provide for the annual imposition of a continuing  
6-13 direct annual ad valorem tax, without limit as to rate or amount,  
6-14 for each year that all or part of the bonds are outstanding as  
6-15 required and in the manner provided by Sections 54.601 and 54.602,  
6-16 Water Code.

6-17 Sec. 3922.206. CITY NOT REQUIRED TO PAY DISTRICT  
6-18 OBLIGATIONS. Except as provided by Section 375.263, Local  
6-19 Government Code, the city is not required to pay a bond, note, or  
6-20 other obligation of the district.

6-21 SECTION 2. The Mesquite Medical Center Management District  
6-22 initially includes all territory contained in the following area:

6-23 BEING a tract of land situated in the Daniel Tanner Survey,  
6-24 Abstract No. 1426, in the City of Mesquite, Dallas County, Texas,  
6-25 and being part of that called 85.204 acre tract of land described in  
6-26 deed to The City of Mesquite, Texas, as recorded in Volume 95191,  
6-27 Page 00916 of the Deed Records of Dallas County, Texas  
6-28 (D.R.D.C.T.), and being more particularly described as follows:

6-29 COMMENCING at a 1/2-inch found iron rod for the west corner of  
6-30 Lot 1, Block 1 of Peachtree/Gross Addition, and addition to the City  
6-31 of Mesquite, Texas, as recorded in Volume 99074, Page 00009,  
6-32 D.R.D.C.T., said point being on the easterly right-of-way line of  
6-33 Peachtree Road (a 100 foot wide public right-of-way) as described  
6-34 in deed recorded in Volume 71054, Page 0405, D.R.D.C.T., said point  
6-35 also being the most westerly north corner of that tract of land  
6-36 described in deed to Golden Shamrock Realty, Inc., as recorded in  
6-37 Volume 2001007, Page 02031, D.R.D.C.T.;

6-38 THENCE South 46 degrees 16 minutes 40 seconds West, along the  
6-39 common westerly line of said Golden Shamrock Realty tract and said  
6-40 easterly right-of-way line of Peachtree Road, a distance of 120.96  
6-41 feet to a 1/2-inch set iron rod with yellow plastic cap stamped  
6-42 "HALFF ASSOC INC." (hereinafter referred to as "with cap") for the  
6-43 POINT OF BEGINNING;

6-44 THENCE South 43 degrees 43 minutes 20 seconds East, departing  
6-45 said common line along the southeasterly line of said Golden  
6-46 Shamrock Realty tract, a distance of 269.56 feet (deed 270.00 feet)  
6-47 to a 5/8-inch found iron rod for corner;

6-48 THENCE South 21 degrees 45 minutes 55 seconds East,  
6-49 continuing along said southeasterly line, a distance of 650.20 feet  
6-50 (deed 650.00 feet) to a 1/2-inch set iron rod with cap for the  
6-51 southwest corner of said Golden Shamrock Realty tract;

6-52 THENCE North 77 degrees 14 minutes 05 seconds East, along the  
6-53 southerly line of said Golden Shamrock Realty tract, a distance of  
6-54 312.75 feet (deed 313.33 feet) to a 1/2-inch set iron rod with cap  
6-55 for the southeast corner of said Golden Shamrock Realty tract, said  
6-56 point being on the common westerly right-of-way line of Interstate  
6-57 Highway 635 (L.B.J. Freeway, a variable width public right-of-way)  
6-58 and the easterly line of said City of Mesquite tract;

6-59 THENCE South 15 degrees 17 minutes 27 seconds East, along  
6-60 said common line, a distance of 503.14 feet to a point for corner,  
6-61 from which point a found aluminum TXDOT monument bears North 65  
6-62 degrees 26 minutes 11 seconds East a distance of 0.68 feet;

6-63 THENCE South 09 degrees 56 minutes 00 seconds East,  
6-64 continuing along said common line, a distance of 250.56 feet to a  
6-65 point for corner, from which point a found aluminum TXDOT monument  
6-66 bears North 63 degrees 51 minutes 49 seconds East a distance of 0.74  
6-67 feet;

6-68 THENCE South 02 degrees 28 minutes 33 seconds East,  
6-69 continuing along said common line, a distance of 800.01 feet to a

7-1 1/2-inch set iron rod with cap for corner;  
7-2 THENCE South 06 degrees 24 minutes 28 seconds East,  
7-3 continuing along said common line, a distance of 311.76 feet to a  
7-4 1/2-inch found iron rod with cap stamped "BRITTAIN AND CRAWFORD"  
7-5 for the northeast corner of Lots 2 and 3, Block 1, Peachtree Center,  
7-6 an addition to the City of Mesquite as recorded in Volume 2003092,  
7-7 Page 00027, D.R.D.C.T.;

7-8 THENCE departing said common line and along the northerly  
7-9 line of said Peachtree Center addition, the following courses and  
7-10 distances:

7-11 North 70 degrees 39 minutes 48 seconds West a distance of  
7-12 578.50 feet to a found 2-inch diameter disk stamped "MLA RPLS #4873"  
7-13 for corner;

7-14 North 19 degrees 20 minutes 12 seconds East a distance of  
7-15 60.00 feet to a 1/2-inch found iron rod with cap stamped "BRITTAIN  
7-16 AND CRAWFORD" for corner;

7-17 North 70 degrees 39 minutes 48 seconds West a distance of  
7-18 70.00 feet to a 1/2-inch found iron rod with cap stamped "BRITTAIN  
7-19 AND CRAWFORD" for corner;

7-20 South 80 degrees 33 minutes 59 seconds West a distance of  
7-21 124.66 feet to a found 2-inch diameter disk stamped "MLA RPLS #4873"  
7-22 for corner;

7-23 North 05 degrees 37 minutes 15 seconds East a distance of  
7-24 103.27 feet to a point for corner from which a found 2-inch diameter  
7-25 disk stamped "MLA RPLS #4873" bears North 21 degrees 18 minutes 56  
7-26 seconds East a distance of 0.26 feet;

7-27 North 84 degrees 22 minutes 45 seconds West a distance of  
7-28 150.41 feet to a found 2-inch diameter disk stamped "MLA RPLS #4873"  
7-29 for the point of curvature of a tangent circular curve to the left  
7-30 having a radius of 535.10 feet whose chord bears South 82 degrees 19  
7-31 minutes 40 seconds West a distance of 246.07 feet;

7-32 Westerly, along said circular curve to the left, through a  
7-33 central angle of 26 degrees 35 minutes 10 seconds, an arc distance  
7-34 of 248.29 feet to a found 2-inch diameter disk stamped "MLA RPLS  
7-35 #4873" for the point of tangency;

7-36 South 69 degrees 02 minutes 05 seconds West a distance of  
7-37 15.00 feet to a found 2-inch diameter disk stamped "MLA RPLS #4873"  
7-38 for corner,

7-39 North 65 degrees 11 minutes 14 seconds West a distance of  
7-40 45.81 feet to a 1/2-inch set iron rod with cap for the most westerly  
7-41 northwest corner of said Peachtree Center addition, said point also  
7-42 being in the common westerly line of said City of Mesquite tract and  
7-43 the aforementioned easterly right-of-way line of Peachtree Road,  
7-44 said point being on a circular curve to the left having a radius of  
7-45 759.73 feet whose chord bears North 31 degrees 03 minutes 06 seconds  
7-46 West a distance of 136.50 feet, said curve being non-tangent to the  
7-47 last described course;

7-48 THENCE Northwesterly, departing said northerly line of said  
7-49 Peachtree Center addition, along said common line between said City  
7-50 of Mesquite tract and said Peachtree Road and along said circular  
7-51 curve, through a central angle of 10 degrees 18 minutes 29 seconds,  
7-52 an arc distance of 136.68 feet to a 1/2-inch set iron rod with cap  
7-53 for the point of tangency;

7-54 THENCE North 36 degrees 12 minutes 20 seconds West, along  
7-55 said common line, a distance of 248.77 feet to a 1/2-inch set iron  
7-56 rod with cap for the point of curvature of a tangent circular curve  
7-57 to the right having a radius of 1,269.75 feet whose chord bears  
7-58 North 05 degrees 02 minutes 10 seconds East a distance of 1,674.13  
7-59 feet;

7-60 THENCE Northerly, continuing along said common line and along  
7-61 said circular curve, through a central angle of 82 degrees 29  
7-62 minutes 00 seconds, an arc distance of 1,827.94 feet to a 1/2-inch  
7-63 set iron rod with cap for the point of tangency;

7-64 THENCE North 46 degrees 16 minutes 40 seconds East,  
7-65 continuing along said common line, a distance of 341.44 feet to the  
7-66 POINT OF BEGINNING AND CONTAINING 2,626,887 square feet or 60.31  
7-67 acres of land, more or less.

7-68 SECTION 3. (a) The legal notice of the intention to  
7-69 introduce this Act, setting forth the general substance of this

8-1 Act, has been published as provided by law, and the notice and a  
8-2 copy of this Act have been furnished to all persons, agencies,  
8-3 officials, or entities to which they are required to be furnished  
8-4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
8-5 Government Code.

8-6 (b) The governor, one of the required recipients, has  
8-7 submitted the notice and Act to the Texas Commission on  
8-8 Environmental Quality.

8-9 (c) The Texas Commission on Environmental Quality has filed  
8-10 its recommendations relating to this Act with the governor,  
8-11 lieutenant governor, and speaker of the house of representatives  
8-12 within the required time.

8-13 (d) The general law relating to consent by political  
8-14 subdivisions to the creation of districts with conservation,  
8-15 reclamation, and road powers and the inclusion of land in those  
8-16 districts has been complied with.

8-17 (e) All requirements of the constitution and laws of this  
8-18 state and the rules and procedures of the legislature with respect  
8-19 to the notice, introduction, and passage of this Act have been  
8-20 fulfilled and accomplished.

8-21 SECTION 4. This Act takes effect immediately if it receives  
8-22 a vote of two-thirds of all the members elected to each house, as  
8-23 provided by Section 39, Article III, Texas Constitution. If this  
8-24 Act does not receive the vote necessary for immediate effect, this  
8-25 Act takes effect September 1, 2013.

8-26

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